

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY FISHER,
Plaintiff,

v.

DIRECTOR OF OPS OF CDCR,
Defendant.

Case No. [14-cv-04199-WHO](#) (PR)

ORDER OF DISMISSAL

Plaintiff Gary Fisher has failed to comply with the Court's order to file a complaint. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Fisher may move to reopen the action. Any such motion **must** contain a complaint using this Court's form.

Fisher's motion for a preliminary injunction (Docket No. 2) and his motion for the appointment of counsel (Docket No. 7) are DENIED without prejudice. He may refile these motions with his complaint.

The Clerk shall terminate Docket Nos. 2 and 7, enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: November 17, 2014


WILLIAM H. ORRICK
United States District Judge